

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits – Arbitration – An amount of Rs. 87,092/- towards balance decretal amount to be deposited to the credit of O.S No. 802/85 on the file of the Additional Chief Judge, City Civil Court, Hyderabad - in respect of the Work relating to “Treatment of expensive soils to bed of Godavari South Canal (Now Kakatiya Main Canal) from KM.44.057 to KM.44.794 (M.27/3+330 to 27/6+440” entrusted to Sri K. Rajaiah, Contractor vide Agt L.S.A.B. No. 16/GVC-II/73-74 dated: 23-03-1974—Sanctioned – orders – Issued.

IRRIGATION & CAD (ARBITRATION) DEPARTMENT

G.O. Rt. No. 703

Dated: 11- 7-2011
Read the following

- 1)From Sri K. Rajaiah, Karimnagar, Representation Dated 3.1.2008
- 2)From the Admn-cum-Chief Engineer, S.R.S.P., Hyd., Letter SRSP.II/DEE2/AE3/GSC/44.057-44.794/08/09, dt.01-08-09 & 25-01-2011.

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ORDER

The Administrator-cum-Chief Engineer, SRSP, Hyderabad in his letter 2nd read above, has reported that the work relating to “Treatment of expensive soils to bed of Godavari South Canal (now Kakatiya Main Canal) from Km. 44.057 to Km.44.794 (M 27/3 + 330 to 27/6+440)” was entrusted to Sri K. Rajaiah, Contractor vide Agt.L.S.A.B.No.16/GVC-II/73-74 dated: 23-03-1974. According to Agreement the work has to be completed with in (4) months, but the work was not completed within the time and it was extended from time to time up to 08-05-1977. Difference and disputes arose between the parties about certain claims, the Contractor has chosen to refer the matter to the Arbitration. On 30-10-1982. the panel of Arbitrators Awarded a lumpsum of Rs.44,000/- in respect of all the claims, and the same is liable to pay the claimant within one month. The claimant will be entitled to receive interest at 10% P.A. after the expiry of one month from the date of the award till the amount is paid to him. The Additional Chief Judge, City Civil Court, Hyderabad in its decree dt: 8-9-87 in O.S. No. 802/85, made the Award as rule of court and dismissed the O.P. No. 179/86 filed by the Department. Aggrieved by the decree, the Department have filed CMP No. 7787/1988 and CRP No. 1386/1988, in the Hon’ble High Court of A.P., Hyderabad. The Hon’ble High Court, while granting the interim stay on 24-6-88, has directed the Department to deposit half of the decretal amount. Accordingly, the Department has deposited an amount of Rs. 32,497/- (Rs. 22,000 Principal plus Rs. 10,497 interest) in the lower court vide Cheque No.019537 dated: 10-02-1989. Subsequently, the Hon’ble High Court of A.P., Hyderabad in its

common Judgment dt: 12-6-2008 in CRP NO.1386/1988 and CMA NO. 437/1988 (filed by the Contractor) delivered the following order.

“The lower court made the award as Rule of the Court and dismissed the O.P. filed by the Government. We do not see any reason to interfere with the same. The Revision as well as the appeal are accordingly dismissed”.

2. In pursuance of the above orders, the Administrator Cum-Chief Engineer, SRSP., Hyderabad, has therefore requested to accord sanction for an amount of Rs. 87,092/- towards the balance Decretal amount to be paid to Sri. K. Rajaiah, Contractor in respect of the above work.

3. Government after careful examination of the above proposal, hereby accord sanction for an amount of Rs. 87, 092/- (Rupees eighty seven thousand and ninety two only) towards balance decretal amount to be paid to Sri K. Rajaiah, Contractor in O.S No. 802/85 in respect of work relating to “Treatment of expensive soils to bed of Godavari South Canal (now Kakatiya Main Canal) from Km. 44.057 to Km.44.794 (M 27/3 + 330 to 27/6+440)” was entrusted to the above Contractor vide Agt.L.S.A.B.No.16/GVC-II/73-74 dated: 23-03-1974.

4. The above sanctioned expenditure shall be debitable to the following Head of Account. “2701-M & M.I: 01-Major Irrigation: 116-Sriramsagar Project: GH-11- Normal state Plan: SH-27-Canals & Distributaries, 530-Makor Works 531-Other expenditure” .

5. The Administrator-cum-Chief Engineer, SRSP Hyderabad is directed to deposit the above sanctioned decretal amount in the respective Court to the credit of O.S No. 802/85 for avoiding further legal complications in the matter.

6. This order issues with the concurrence of Finance (W&P) Department vide their U.O. No.389/F4(2)/2011-1, dt:9.2.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRASANTA MAHAPATRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Administrator-cum-Chief Engineer, SRSP Hyderabad
The Superintending Engineer, Irrigation Department, Operation & Maintenance Circle No. 1 Daroor Camp, Jagitial, Karimnagar.

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The Accountant General, A.P. Hyderabad.
The Director of Works & Accounts, A.P Hyderabad.
The District Treasury Officer, Karimnagar
The pay and Accounts Officer, Karimnagar

Copy to

The P.S. to Minister (M & MI)
The P.S to Prl.Secy. to Govt., I&CAD Department.
The Finance (W&P) Department.
The Law Department
The I & CAD (P&B) Department.
S.F/ S.C

//Forwarded: By Order//

Section Officer.